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## Memorandum of Understanding

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Between

Maryland Drug Recognition Expert Program

and

Baltimore City Central Booking and Intake Center

This Memorandum of Understanding (MOU) sets the terms and understanding between the coordinators and instructors of the Maryland Drug Recognition Expert (DRE) Program and the management and employees of the Baltimore City Central Booking and Intake Center (BCBIC) to facilitate the certification phase of training of the DRE Program.

### Definitions

Drug Recognition Expert (DRE) - a specially trained law enforcement officer who is in training or already certified in the International Association of Chiefs of Police (IACP), Drug Evaluation and Classification Program (DECP).

Drug Recognition Expert Instructor – a person qualified by the International Association of Chiefs of Police (IACP) as an instructor for the Drug Evaluation and Classification Program (DECP).

Certification Training – a required step for Drug Recognition Expert certification during which a Drug Recognition Expert student conducts evaluations of drug impaired persons to determine the kind(s) of drug each person is under the influence of.

### Background

During the course of DRE certification training conducted at BCBIC, many different DRE instructors and students interact with many different supervisors and correctional officers of BCBIC. The many interactions lend to different understandings and interpretations of what actions are permissible and which are not. Misunderstandings and misinterpretations of permissible and prohibited activities may create disagreements between parties involved.

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This MOU will clearly articulate what activities will be undertaken as part of DRE certification training at BCBIC; which activities are permissible, limitations on those activities and what actions are prohibited.

## Notification

- The Maryland State DRE Coordinator, or his designee, will notify the warden of BCBIC, or his designee, of the dates certification training will be conducted and the personnel (students and instructors) who will take part in that training at least two regular working days prior to any such scheduled training. A list of those personnel involved in training will also be provided to the BCBIC intake supervisor, by the supervising DRE instructor, upon arrival at BCBIC for each training session. Any changes in personnel after the time the list is submitted to the warden or his designee will be reflected on the list provided to the intake supervisor.

## Hours of Operation

- DRE training at BCBIC will be conducted between 1400 hours and 2400 hours. Any alterations to this scheduled must be coordinated ahead of time and agreed to by the warden of BCBIC or his designee.

## Admittance

- DRE students and instructors will enter BCBIC Intake via the male receiving portico. No weapon of any type will be permitted inside BCBIC. Secure storage lockers are located on the wall outside of the Intake doors. DRE students and instructors will share lockers when possible to ensure adequate access for law enforcement personnel bringing prisoners into the facility.
- Each student and instructor will permit the inspection of any bag or container being brought into BCBIC.
- Upon entering BCBIC Intake, the supervising DRE instructor will contact the intake supervisor to report the arrival of the DREs and will provide the supervisor with a list of those DRE students and instructors on site that evening.
- The intake supervisor will provide the DREs with access to a room that can be darkened – no outside light other than that which may enter around the frame of a closed door – and two large holding cells if those cells are not absolutely needed to hold an overflow of intake prisoners.

## Food

- DRE students and instructors are prohibited from bringing any food items into BCBIC for the purposes of feeding the staff of BCBIC unless agreed to ahead of time by the warden or his designee.

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- Food, snacks and non-alcoholic drinks may be brought into BCBIC by DRE students and instructors for personal consumption and to share with inmates who volunteer to help with DRE certification training evaluations. Anything to be shared with inmates must be approved by the Warden or his designee.
- No food, snack or drink will be consumed by DRE students, instructors or volunteer inmates on the main floor of the intake area unless that food item is provided by BCBIC.
- No glass or metal packaging is permitted. All food, snack and drink items must be in paper or plastic containers.

### **Conduct**

- All DRE students and instructors will act in a professional manner at all times. Unprofessional behavior will be cause for expulsion from BCBIC. Any disagreements between DRE students, instructors and BCBIC staff will be brought to the attention of the supervising DRE instructor for resolution in consultation with the BCBIC intake supervisor.
- DRE instructors and students must always have their government issued identification cards on their person and available for display to BCBIC personnel.
- DRE students will not roam the floors of the intake area. They will remain in the areas provided for conducting certification evaluations or in the break/report writing area. The presence of DRE students and instructors will not interfere with the ability of law enforcement officers to complete work related to an arrest for which a person is being admitted to BCBIC.
- DRE instructors will interview inmates to determine their level of impairment and willingness to participate in certification evaluations. These interviews will not interfere with the initial intake process and should be conducted at a time when BCBIC staff are not questioning an inmate.
- When evaluations have been completed involving a volunteer inmate, the inmate will be returned to a correctional officer responsible for the area from which the inmate was obtained by a DRE instructor.

### **Access to inmates**

- DRE instructors will have access to inmates (male and female) once they are processed into the facility, and prior to fingerprinting and photographing unless BCBIC staff are ready to conduct fingerprinting and photographing of the inmate.
- In the case of an inmate involved in a certification evaluation prior to being fingerprinted and photographed, a DRE instructor will regularly check with the BCBIC staff

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responsible for those activities to determine when they are ready to fingerprint and photograph the inmate. When the staff needs the inmate, the DRE instructor will immediately return the specific inmate to the processing area to be fingerprinted and photographed.

- Upon completion of fingerprinting and photographing of the inmate, and the completion of any authorized phone call by the inmate, the DRE instructor will again have access to the inmate for evaluation purposes.
- Participation as a volunteer for DRE certification training will not delay or otherwise interfere with the volunteer inmate's initial appearance before a District Court Commissioner.
- Inmate participation in DRE certification training is strictly voluntary. No inmate will be pressured into cooperating with DRE certification training.

### **Reporting**

The number of inmates participating in DRE certification training and the number of certification evaluations conducted will be reported to the warden or his designee on a yearly basis. The report will be submitted to the warden by January 15 of the year following the calendar year when certification training was conducted at BCBIC.

### **Funding**

Neither BCBIC nor its staff is financially obligated to support DRE certification training aside from permitting use of its facilities as agreed upon in this MOU.

### **Duration**

This MOU may be modified in writing by mutual consent of authorized officials from BCBIC and the Maryland State DRE Coordinator. This MOU shall become effective upon signature by the warden of BCBIC and Maryland State DRE Coordinator and will remain in effect until modified or terminated by any one of the partners.

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### Contact Information

Frederick Abello, Warden  
Baltimore Central Booking and Intake Center  
300 E. Madison St., Baltimore, MD 2102  
410-545-8106  
[frederick.abello@maryland.gov](mailto:frederick.abello@maryland.gov)

Thomas H. Woodward  
Maryland DRE Coordinator  
6852 4<sup>th</sup> Street, Sykesville, MD 21784  
301-988-6954  
[thomas.woodward@maryland.gov](mailto:thomas.woodward@maryland.gov)

Signatures:

 Date 10-1-2018  
Frederick Abello, Warden

 Date 8/12/2018  
Thomas H. Woodward, DRE Coordinator